

111TH CONGRESS  
1ST SESSION

# S. 1173

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 3, 2009

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Community-Based  
5       Health Care Retraining Act”.

6       **SEC. 2. HEALTH PROFESSIONS TRAINING DEMONSTRATION**  
7       **PROJECT.**

8       Section 171 of the Workforce Investment Act of 1998  
9       (29 U.S.C. 2916) is amended by adding at the end the  
10      following:

1       “(f) HEALTH PROFESSIONS TRAINING DEMONSTRATION PROJECT.—

2       “(1) DEFINITIONS.—In this subsection:

3               “(A) COVERED COMMUNITY.—The term

4               ‘covered community’ means a community or re-

5               gion—

6               “(i) that has experienced a significant

7               percentage decline in rates of employment;

8               and

9               “(ii)(I) that is determined by the Sec-

10              retary of Health and Human Services (in

11              consultation with the medical community)

12              to be an area with a shortage of health

13              care professionals described in subpara-

14              graph (C)(i); or

15              “(II) that is underserved by the

16              health care structure, such as a rural com-

17              munity, a community with a significant mi-

18              nority population, or a community for

19              which an applicant can otherwise dem-

20              onstrate need for increased training for

21              health care professionals.

22              “(B) COVERED WORKER.—The term ‘cov-

23              ered worker’ means an individual who—

24

1 “(i)(I) has been terminated or laid  
2 off, or who has received a notice of termi-  
3 nation or layoff;

4 “(II)(aa) is eligible for or has ex-  
5 hausted entitlement to unemployment com-  
6 pensation; or

7 “(bb) has been employed for a dura-  
8 tion sufficient to demonstrate, to the ap-  
9 propriate entity at a one-stop center re-  
10 ferred to in section 134(c), attachment to  
11 the workforce, but is not eligible for unem-  
12 ployment compensation due to insufficient  
13 earnings or having performed services for  
14 an employer that were not covered under a  
15 State unemployment compensation law;  
16 and

17 “(III) is unlikely to return to a pre-  
18 vious industry or occupation;

19 “(ii)(I) has been terminated or laid  
20 off, or has received a notice of termination  
21 or layoff, as a result of any permanent clo-  
22 sure of, or any substantial layoff at, a  
23 plant, facility, or enterprise; or

24 “(II) is employed at a facility at  
25 which the employer has made a general an-

nouncement that such facility will close within 180 days; or

“(iii) is an incumbent worker employed in a health care profession, and whose training will provide an opportunity for employment of other individuals by increasing—

“(I) the number of instructors serving the covered community; or

“(II) the number of vacant positions in the covered community.

“(C) HEALTH CARE PROFESSIONAL.—The term ‘health care professional’—

“(i) means an individual who is involved with—

“(I) the delivery of health care services, or related services, pertaining to—

“(aa) the identification, evaluation, management, and prevention of diseases, disorders, or injuries; or

“(bb) home-based or community-based long-term care;

1 “(II) the delivery of dietary and  
2 nutrition services;

3 “(III) the delivery of dental serv-  
4 ices; or

5 “(IV) rehabilitation and health  
6 systems management; and

7 “(ii) includes individuals in health  
8 care professions for which there is a short-  
9 age in the community involved, as deter-  
10 mined by the Secretary of Health and  
11 Human Services (in consultation with the  
12 medical community) or as otherwise dem-  
13 onstrated by the applicant.

14 “(D) TRIBAL COLLEGE OR UNIVERSITY.—  
15 The term ‘tribal college or university’ means a  
16 Tribal College or University, as defined in sec-  
17 tion 316(b) of the Higher Education Act of  
18 1965 (20 U.S.C. 1059c(b)).

19 “(2) ESTABLISHMENT OF PROJECT.—In ac-  
20 cordance with subsection (b), the Secretary shall es-  
21 tablish and carry out a health professions training  
22 demonstration project.

23 “(3) GRANTS.—In carrying out the project, the  
24 Secretary, after consultation with the Secretary of  
25 Health and Human Services, shall make grants to

1 eligible entities to pay for the Federal share of the  
 2 cost of enabling the entities to carry out programs  
 3 in covered communities to train covered workers for  
 4 employment as health care professionals (referred to  
 5 in this subsection as ‘training programs’). The Sec-  
 6 retary shall make each grant in an amount of not  
 7 less than \$100,000 and not more than \$500,000,  
 8 and each such grant shall be for a period of 5 years.

9 “(4) ELIGIBLE ENTITIES.—Notwithstanding  
 10 subsection (b)(2)(B), to be eligible to receive a grant  
 11 under this subsection to carry out a training pro-  
 12 gram in a covered community, an entity shall be a  
 13 partnership that consists of—

14 “(A) a local workforce investment board  
 15 established under section 117 that is serving  
 16 the covered community; and

17 “(B) an institution of higher education, as  
 18 defined in sections 101 and 102 of the Higher  
 19 Education Act of 1965 (20 U.S.C. 1001, 1002),  
 20 in partnership with at least 1 of the following:

21 “(i) A health clinic or hospital.

22 “(ii) A home-based or community-  
 23 based long-term care facility or program.

24 “(iii) A health care facility adminis-  
 25 tered by the Secretary of Veterans Affairs.

1 “(iv) A tribal college or university.

2 “(v) A labor organization, or an in-  
3 dustry or industry group.

4 “(vi) A local economic development  
5 entity serving the covered community.

6 “(vii) A joint labor-management part-  
7 nership.

8 “(5) APPLICATIONS.—To be eligible to receive a  
9 grant under this subsection, an entity shall submit  
10 an application to the Secretary at such time, in such  
11 manner, and containing such information as the Sec-  
12 retary may require, including, at a minimum—

13 “(A) a proposal to use the grant funds to  
14 establish or expand a training program in order  
15 to train covered workers for employment as  
16 health care professionals, including information  
17 that demonstrates the long-term viability of the  
18 training program beyond the period of the  
19 grant;

20 “(B) information demonstrating the need  
21 for the training and support services to be pro-  
22 vided through the training program;

23 “(C) information describing the manner in  
24 which the entity will expend the grant funds,

1 and the activities to be carried out with the  
2 funds;

3 “(D) information demonstrating that the  
4 entity meets the requirements of paragraph (4);

5 “(E) with respect to training programs  
6 carried out by the applicant, information—

7 “(i) on the graduation rates of the  
8 training programs involved;

9 “(ii) on the retention measures car-  
10 ried out by the applicant;

11 “(iii) on the length of time necessary  
12 to complete the training programs of the  
13 applicant; and

14 “(iv) on the number of qualified cov-  
15 ered workers that are refused admittance  
16 into the training programs because of lack  
17 of capacity; and

18 “(F) a description of how the applicant  
19 has engaged all relevant stakeholders, including  
20 the health care industry to be served by the  
21 training program, local labor organizations and  
22 other workforce groups, and local industry, in  
23 the design of the training program to be served  
24 with grant funds.



1           “(6) SELECTION.—In making grants under  
2           paragraph (3), the Secretary, after consultation with  
3           the Secretary of Health and Human Services,  
4           shall—

5                   “(A) consider the information submitted by  
6           the eligible entities under paragraph (5)(E);

7                   “(B) select—

8                           “(i) eligible entities submitting appli-  
9                           cations that meet such criteria as the Sec-  
10                          retary of Labor determines to be appro-  
11                          priate; and

12                           “(ii) among such entities, the eligible  
13                          entities serving the covered communities  
14                          with the greatest need for the grants and  
15                          the greatest potential to benefit from the  
16                          grants; and

17                   “(C) give preference to eligible entities—

18                           “(i) submitting applications to serve  
19                          covered workers who have been terminated  
20                          or laid off or have received a notice of ter-  
21                          mination or layoff from a manufacturing,  
22                          service, or construction industry, or an-  
23                          other industry with significant decline in  
24                          employment as determined by the Sec-  
25                          retary; and

1 “(ii) with a demonstrated history of  
 2 similar and successful partnerships with  
 3 State boards or local boards, institutions of  
 4 higher education (as defined in paragraph  
 5 (4)(B)), industry groups, and labor organi-  
 6 zations.

7 “(7) USE OF FUNDS.—

8 “(A) IN GENERAL.—An entity that re-  
 9 ceives a grant under this subsection shall use  
 10 the funds made available through the grant for  
 11 training and support services that meet the  
 12 needs described in the application submitted  
 13 under paragraph (5), which may include—

14 “(i) implementing training programs  
 15 for covered workers;

16 “(ii) providing support services for  
 17 covered workers participating in the train-  
 18 ing programs, such as—

19 “(I) providing tuition assistance;

20 “(II) establishing or expanding  
 21 distance education programs;

22 “(III) providing transportation  
 23 assistance; or

24 “(IV) providing child care; or

1 “(iii) increasing capacity, subject to  
2 subparagraph (B), at an educational insti-  
3 tution or training center to train individ-  
4 uals for employment as health profes-  
5 sionals, such as by—

6 “(I) expanding a facility, subject  
7 to subparagraph (B);

8 “(II) expanding course offerings;

9 “(III) hiring faculty;

10 “(IV) providing a student loan  
11 repayment program for the faculty;

12 “(V) establishing or expanding  
13 clinical education opportunities;

14 “(VI) purchasing equipment,  
15 such as computers, books, clinical  
16 supplies, or a patient simulator; or

17 “(VII) conducting recruitment.

18 “(B) LIMITATION.—Any such grant funds  
19 that are used to expand facilities may only be  
20 used to rent or modernize existing facilities, not  
21 to build additional facilities. The entity shall  
22 use not less than 50 percent of the grant funds  
23 to carry out activities described in clause (i) or  
24 (ii) of subparagraph (A), unless the entity dem-  
25 onstrates, in the application submitted under

1 paragraph (5), a need to spend more than 50  
2 percent of the grant funds on activities de-  
3 scribed in subparagraph (A)(iii).

4 “(8) FEDERAL SHARE.—

5 “(A) IN GENERAL.—The Federal share of  
6 the cost described in paragraph (3) shall be—

7 “(i) for the first year of the grant pe-  
8 riod, 95 percent;

9 “(ii) for the second such year, 85 per-  
10 cent;

11 “(iii) for the third such year, 75 per-  
12 cent;

13 “(iv) for the fourth such year, 65 per-  
14 cent; and

15 “(v) for the fifth such year, 55 per-  
16 cent.

17 “(B) NON-FEDERAL SHARE.—The eligible  
18 entity shall provide the non-Federal share of  
19 the cost in cash or in kind, fairly evaluated, in-  
20 cluding plant, equipment, or services.

21 “(9) EVALUATION.—

22 “(A) IN GENERAL.—Under the Secretary’s  
23 existing authority under section 172, not more  
24 than 1 percent of the funds provided under this  
25 subsection shall be used for evaluation of the

1 training programs described in paragraph (3).  
2 Eligible entities receiving grants under this sec-  
3 tion shall use not more than 1 percent of the  
4 grant funds for purposes of evaluation or docu-  
5 mentation of the training programs.

6 “(B) CONTENTS.—In conducting an eval-  
7 uation under subparagraph (A), an eligible enti-  
8 ty shall provide data detailing the success of the  
9 training program carried out by the entity  
10 under paragraph (3), including—

11 “(i) information on the number and  
12 percentage of participating covered work-  
13 ers who complete a training program, in-  
14 cluding those who earn a degree or certifi-  
15 cate through such training programs;

16 “(ii) information on the rate of em-  
17 ployment of covered workers who have  
18 completed the training program;

19 “(iii) an assessment of how well the  
20 needs of the health care community were  
21 addressed by the training program; and

22 “(iv) any other data determined to be  
23 relevant by the entity to demonstrate the  
24 success of the training program.

1           “(C) REPORT.—The Secretary shall com-  
2           pile the information resulting from the evalua-  
3           tion or documentation conducted under sub-  
4           paragraph (A), and shall submit a report to  
5           Congress containing the information.

6           “(10) FUNDING.—Of the amounts appropriated  
7           to, and available at the discretion of, the Secretary  
8           or the Secretary of Health and Human Services for  
9           programmatic and administrative expenditures, a  
10          total of \$25,000,000 shall be used to establish and  
11          carry out the demonstration project described in  
12          paragraph (2) in accordance with this subsection.”.

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